



July 30, 2021

Ms. Lauralyn Remo, Chief  
Mr. Jerish Varghese, Analyst  
Air Carrier Fitness Division  
Office of Aviation Analysis  
U.S. Department of Transportation  
1200 New Jersey Ave., SE  
Washington, D.C. 20590  
laura.remo@dot.gov  
jerish.varghese@dot.gov

**Re: ExpressJet Airlines LLC; Docket DOT-OST-2021-0044**

Dear Ms. Remo and Mr. Varghese:

Further to your recent request, ExpressJet Airlines LLC ("ExpressJet") respectfully submits the following documentation and information:

*(a) Evidence of FAA operating authority*

Enclosed herewith as Exhibit 1 is a copy of ExpressJet's FAA-issued Air Carrier Certificate and associated Operations Specifications authorizing the subject operations.

*(b) Evidence of liability insurance coverage*

Enclosed herewith as Exhibit 2 is an updated OST Form 6410 demonstrating that ExpressJet's insurance coverage meets the requirements of 14 C.F.R. § 205.5(b).

*(c) Changes to ownership, key personnel, operating plans, financial posture, or compliance history since the issuance of Order 2021-7-11*

Other than as described in the immediately following paragraph, there have been no changes to ExpressJet's ownership, key personnel, operating plans, financial posture or compliance history since the issuance of Order 2021-7-11.

The position of VP Maintenance & Engineering (which is not one of ExpressJet's required Part 121 management positions under 14 C.F.R. § 119.65) currently is vacant. ExpressJet will notify the Department once the position has been filled, to include the individual's citizenship and other information specified in § 204.3.

*(d) Pre-operating expenses and access to funds*

Enclosed herewith as Exhibit 3 is a revised list of pre-operating expenses already paid (\$160,000) and those remaining to be paid (\$240,000).<sup>1</sup> Enclosed herewith as Exhibit 4

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<sup>1</sup> The pre-operating expenses initially identified in ExpressJet's April 15, 2020 Notice and Application included \$360,000 in aircraft deposits. ExpressJet subsequently negotiated with the aircraft lessor to



are (i) an updated balance sheet for ExpressJet as of June 30, 2021, reflecting current liabilities of \$9.4 million and (ii) independent verification, in the form of an updated letter, demonstrating that ExpressJet has access to at least \$29.0 million in its bank accounts at Wells Fargo Bank. In its April 15<sup>th</sup> Notice and Application, ExpressJet forecasted operating expenses of \$15.3 million for three months of normalized operations. This forecast remains unchanged. The total of ExpressJet's (i) pre-operating expenses remaining to be paid, (ii) current liabilities and (iii) forecast expenses for three months of operations is \$25.0 million. The funds to which ExpressJet has access as demonstrated in the Wells Fargo Bank letter exceed this amount.

Respectfully submitted,

A handwritten signature in black ink that reads 'Elizabeth M. Galbavy'.

Elizabeth M. Galbavy  
Deputy General Counsel  
ExpressJet Airlines LLC  
1745 Phoenix Blvd, Ste. 250  
College Park, GA 30349  
404.673.1863 (mobile)  
Elizabeth.Galbavy@expressjet.com

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eliminate the aircraft deposits. Accordingly, Exhibit 3 reflects the removal of the amounts for these deposits from ExpressJet's pre-operating expenses.

## **EXHIBIT 1**

### **Evidence of FAA operating authority**



U.S. Department of  
Transportation

**Federal Aviation  
Administration**

## Air Carrier Certificate

**This certifies that**

EXPRESSJET AIRLINES LLC

1745 PHOENIX BLVD., SUITE 500

COLLEGE PARK, GA 30349

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed thereunder for the issuance of this certificate and is hereby authorized to operate as an air carrier and conduct common carriage operations in accordance with said Act and the rules, regulations, and standards prescribed thereunder and the terms, conditions, and limitations contained in the approved operations specifications.

This certificate is not transferable and, unless sooner surrendered, suspended, or revoked, shall continue in effect indefinitely.

**By Direction of the Administrator**

Certificate number ASOA029B

TONY T. CAMPBELL

(Signature)

Effective date NOVEMBER 01, 2019

MANAGER

(Title)

Issued at ATLANTA FLIGHT STANDARDS OFFICE - SO65

ATLANTA FLIGHT STANDARDS  
OFFICE - SO65

(Office)

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**A001 . Issuance and Applicability**

**HQ Control: 05/09/2003**

**HQ Revision: 02c**

- a. These operations specifications are issued to EXPRESSJET AIRLINES LLC, whose principal base of operation is located at:

Primary Business Address:  
1745 Phoenix Blvd.  
Suite 250  
College Park, Georgia 30349

Mailing Address:  
1745 Phoenix Blvd.  
Suite 250  
College Park, Georgia 30349

The holder of these operations specifications is the holder of Air Carrier Certificate Number ASOA029B and shall hereafter be referred to as the certificate holder. The certificate holder is authorized to conduct:

Domestic	operations in Common	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	119.21(a)(1) - Domestic (D)	and provided, at all times, the certificate holder has appropriate written economic authority issued by the Department of Transportation.
Flag	operations in Common	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	119.21(a)(2) - Flag (F)	and provided, at all times, the certificate holder has appropriate written economic authority issued by the Department of Transportation.
Supplemental	operations in Common	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	119.21(a)(3) - Supplemental (S)	and provided, at all times, the certificate holder has appropriate written economic authority issued by the Department of Transportation.

The certificate holder shall conduct these kinds of operations in accordance with the specific authorizations, limitations, and procedures in these operations specifications and all appropriate Parts of the CFR.

- b. These operations specifications are effective as of the "Date Approval is effective" listed in each paragraph and shall remain in effect as long as the certificate holder continues to meet the requirements of Part 119 as specified for certification.
- c. The certificate holder is authorized to conduct the operations described in subparagraph a under the following other business names:

United Express

ExpressJet Airlines LLC

- d. The certificate holder is authorized to conduct flights under 14 CFR Part 91 for crewmember training, maintenance tests, ferrying, re-positioning, and the carriage of company officials using the applicable authorizations in these operations specifications, without obtaining a Letter of Authorization, provided the flights are not conducted for compensation or hire and no charge of any kind is made for the conduct of the flights.

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1. The Certificate Holder applies for the Operations in this paragraph.  
2. These Operations Specifications are approved by direction of the Administrator.

3. I hereby accept and receive the Operations Specifications in this paragraph.

## **EXHIBIT 2**

### **Evidence of liability insurance coverage**





Office of the Secretary  
of Transportation

#### AGENCY DISPLAY OF ESTIMATED BURDEN

The public reporting burden for this collection of information is estimated to average 15-30 minutes per response. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to: U.S. Department of Transportation, Office of Aviation Analysis, X-56, 1200 New Jersey Ave. S.E., Washington, D.C. 20590. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTE:** For information on where to file completed copies of this form, see **FILING INSTRUCTIONS** below.

OMB No. 2106-0030 Expires April 30, 2023

## U.S. AIR CARRIERS - CERTIFICATE OF INSURANCE

### POLICIES OF INSURANCE FOR AIRCRAFT ACCIDENT BODILY INJURY AND PROPERTY DAMAGE LIABILITY

**FILING INSTRUCTIONS:** File a signed original of this form with the Federal Aviation Administration, Air Transportation Division, electronically to: AFS-260-Insurance@faa.gov, or mail to: AFS-260, 800 Independence Ave., S.W., Washington, D.C., 20591 (See EXCEPTION)

**EXCEPTION:** For any insured that is located in the State of Alaska, file a signed original of this form with the Federal Aviation Administration, Air Transportation Division, electronically to: AFS-260-Insurance@faa.gov, or mail to: Anchorage Flight Standards Service Office, 949 E. 36th Avenue, Suite 600, Anchorage, Alaska 99503.

(Please type information, except signatures.)

**THIS CERTIFIES THAT:** See Attached Schedule of Insurers

(Name of Insurer)

has issued a policy or policies of Aircraft Liability Insurance to ExpressJet Airlines LLC

Phoenix Blvd., Suite 250, College Park, GA 30349

FAA Certificate Number ASOA0298B

(Name, address and FAA Certificate number of Insured U.S. Air Carrier)

effective from December 31, 2020 until ten (10) days after written notice from the insurer or carrier of the intent to terminate coverage is received by the Department of Transportation.

**NOTE:** Part 205 of the Department's Regulations does not allow for a predetermined termination date, and a certificate showing such a date is unacceptable.

#### 1. The Insurer (Check One):

- ☒ is licensed to issue aircraft insurance policies in the United States;  
☐ is licensed or approved by the government of \_\_\_\_\_ to issue aircraft insurance policies; or  
☐ is an approved surplus line insurer in the State(s) of \_\_\_\_\_

#### 2. The insurer assumes, under the policy or policies listed below, aircraft accident liability insured to minimums at least equal to the following during operation, maintenance, or use of aircraft in "air transportation" as that term is defined in 49 U.S.C. 40102. (Complete applicable section(s) A, B, or C below):

##### A. U.S. AIR TAXI OPERATORS (EXCLUDING U.S. COMMUTER AIR CARRIERS) WITH PART 298 AUTHORITY ONLY:

The aircraft covered by this policy are SMALL AIRCRAFT (i.e., with 60 or fewer passenger seats or with a maximum payload capacity of 18,000 pounds or less). (Complete separate or combined coverage as appropriate):

☐ Separate Coverages:

Policy No.	Type of Liability	Minimum Limit	
		Each person	Each Occurrence
_____	Bodily Injury Liability (Excluding Passengers)	\$75,000	\$300,000
_____	Passenger Bodily Injury	\$75,000	\$75,000 x 75% of total number of passenger seats installed in aircraft
_____	Property Damage		\$100,000

☐ Combined Coverage: The amount of coverage set forth below is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. \_\_\_\_\_ Amount of Coverage \_\_\_\_\_

☐ This policy covers CARGO operations *only* and *excludes* passenger liability insurance.

**B. U.S. COMMUTER AIR CARRIERS OR CERTIFICATED AIR CARRIERS OPERATING SMALL AIRCRAFT**

The aircraft covered by this policy are SMALL AIRCRAFT (i.e., with 60 or fewer passenger seats or with a maximum payload capacity of 18,000 pounds or less). (Complete separate or combined coverage as appropriate):

Policy No.	Type of Liability	Minimum Limit	
		Each person	Each Occurrence
	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$300,000	\$2,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 x 75% of total number of passenger seats installed in aircraft

- ☒ Combined Coverage: The amount of coverage set forth below is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. See attached Schedule of Insurers

Amount of Coverage \$ 500,000,000

- ☐ This policy covers CARGO operations *only* and *excludes* passenger liability insurance.

**C. U.S. CERTIFICATED AIR CARRIERS OPERATING LARGE AIRCRAFT**

The aircraft covered by this policy are LARGE AIRCRAFT (i.e., with more than 60 passenger seats or with a maximum payload capacity of more than 18,000 pounds). (Complete separate or combined coverage as appropriate):

Policy No.	Type of Liability	Minimum Limit	
		Each person	Each Occurrence
	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$300,000	\$20,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 x 75% of total number of passenger seats installed in aircraft

- ☐ Combined Coverage: The amount of coverage set forth below is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. \_\_\_\_\_

Amount of Coverage \_\_\_\_\_

- ☐ This policy covers CARGO operations *only* and *excludes* passenger liability insurance.

3. The policy or policies listed in this certificate insure(s) (Check One):

Make and Model

FAA or Foreign Flag  
Registration No.

- ☒ Operations conducted with all aircraft operated by the insured  
☐ Operations conducted with the following types of aircraft:  
☐ Operations with the following aircraft: (Use additional page if necessary)

4. Each policy listed in this certificate meets or exceeds the requirements in 14 CFR Part 205.

<u>Marsh USA</u> (Name of Insurer)	<u>(Name of Broker, if applicable)</u>
<u>121 River Street - Waterfront</u> (Address)	<u>(Address)</u>
<u>Hoboken, New Jersey 07030</u> (City, State, Zip Code)	<u>(City, State, Zip Code)</u>
<u>David Kinney, Vice President</u> (Officer or authorized representative)	<u>(Officer or authorized representative)</u>
<u>201-284-3776</u> (Area Code, Phone Number)	<u>(Area Code, Phone Number)</u>
<u>david.kinney@marsh.com</u> (Email Address)	<u>(Email Address)</u>
<u>(Signature)</u>	<u>(Signature)</u>
<u>(Date)</u>	<u>7/23/2021</u> (Date)



ManaAir, LLC; KAir Enterprises, Inc. and successors; ExpressJet Airlines Inc. and/or associated and/or subsidiary companies existing or hereafter acquired and/or interests heretofore relinquished and/or the parent company of any affiliated subsidiary companies

Policy Period: December 31, 2020 to December 31, 2021

Insurer Name and Address	Policy Number	Quota Share Percentage
Starr Surplus Lines Insurance Company Through Starr Aviation Agency 3353 Peachtree Road, NE, Suite 1000 Atlanta, GA 30326	SASLAMR63647020-01	20.00%
Lloyds of London, British Insurers and others Through Marsh Limited St. Botolph Building, 138 Houndsditch London, EC3A 7AW	B0509AVNAN200002	18.50%
Allianz Global Risks US Insurance Company Through Allianz Global Corporate & Specialty One Chase Manhattan Plaza 28 Liberty Street, 24th Floor New York, NY 10005	A1AL000886020AM	7.50%
XL Specialty Insurance Company Through AXA XL Aviation Brookfield Place 200 Liberty Street, 25th Floor New York, NY 10281	UA00017060AV20A	15.00%
QBE Insurance Corp. Through QBE North America 210 Interstate North Parkway, Suite 400 Atlanta, GA 30339	100043923	15.00%
National Union Fire Insurance Company of Pittsburg, PA Through AIG Aviation 3500 Lenox Road, Suite 1100 Atlanta, GA 30326	HL 013468479-02	15.00%
One or more members of Global Aerospace One Sylvan Parkway Parsippany, NJ 07054	349691/20	5.00%
Falls Lake National Insurance Company Through Air Centurion Insurance Services, Inc. 1332 Anacapa Street, Suite 120 Santa Barbara, CA 93101	ACQA-FL-00358-01	4.00%
Totals:		100.00%

## **EXHIBIT 3**

### **Status of Pre-Operating Expenses**



## 2021 PRE OPERATING EXPENSES

\$MM	May 13th DOT Submittal	Changes from May 13th	Already Incurred	Remaining
<b>Start-up Costs</b>				
Training Costs	0.27	0.00	0.03	0.24
Infrastructure	0.05	0.00	0.05	0.00
Advance Payments & Deposits	0.08	0.00	0.08	0.00
<b>Total Startup Costs</b>	<b>0.40</b>	<b>0.00</b>	<b>0.16</b>	<b>0.24</b>
AC Deposits	0.36	(0.36)	0.00	0.00
<b>Total Pre Operating Expenses</b>	<b>\$0.76</b>	<b>(\$0.36)</b>	<b>\$0.16</b>	<b>\$0.24</b>

**EXHIBIT 4**

**Updated Balance Sheet**

**Updated Third-Party Verification of Funds**



## PRO-FORMA BALANCE SHEET

\$MM	Pro-forma as of June 30, 2021
Cash & Equivalents	29.1
Parts & Inventory	11.2
Other Current Assets	0.3
CURRENT ASSETS	<u>\$40.6</u>
Net Property & Equipment	6.8
Intangibles/Other Assets	48.9
OTHER ASSETS	<u>\$55.7</u>
<b>TOTAL ASSETS</b>	<b><u>\$96.3</u></b>
Trade Accounts Payable	5.9
Accrued Wages & Benefits	0.0
Taxes - other than Income Taxes	3.5
Air Traffic Liability	0.0
CURRENT LIABILITIES	<u>\$9.4</u>
LONG-TERM LIABILITIES	\$39.5
TOTAL LIABILITIES	<u>\$48.9</u>
OWNERS EQUITY	\$47.4
<b>TOTAL LIABILITIES AND OWNERS EQUITY</b>	<b><u>\$96.3</u></b>



Wenhan Liao  
90 South 7<sup>th</sup> St  
Minneapolis MN 55402  
Phone: 612-667-7751  
Wenhan.Liao@wellsfargo.com

Date: July 29, 2021

To Whom It May Concern,

This letter serves to confirm that ExpressJet Airlines, LLC has maintained a commercial deposit relationship with Wells Fargo Bank, N.A. ("Bank") with account balances in excess of \$29,000,000. This relationship currently includes one or more deposit accounts and various treasury management-related services. As of the date hereof, Company's depository and treasury management relationship has been maintained satisfactorily according to Bank's own internal and subjective standards.

This letter is strictly confidential and is given in good faith, without legal liability. This letter only pertains to Bank's experience with regard to Company's relationship described above and should not be considered reliable for any other purpose. Bank and its affiliates do not undertake or accept any responsibility, liability or obligation that may arise from reliance being placed upon information contained in this letter or for any loss or damage that may result from reliance being placed upon it. Our statements herein do not constitute a guarantee or other credit support of any nature.

This letter is addressed to you solely for your own use and is strictly limited to the information set forth above. Bank undertakes no duty to update this letter in the event Bank's experience or circumstance with Company should change.

Thank you.

Wenhan Liao  
Relationship Associate  
Wells Fargo Corporate Banking

